

**** NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

AGENDA

CITY COUNTY COUNCIL

AND THE

INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION

SPECIAL SERVICE DISTRICT COUNCILS

August 23, 2010

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Evans**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
 - A. The Honorable Gregory A. Ballard, Mayor**
 - B. Clerk of the Council**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – July 26, 2010**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 235, 2010 (Special Resolution)

INTRODUCED: 08/23/2010 BY: Councillor Brown

REFERRED TO: Committee of the Whole

DIGEST: recognizes Damon Donaldson on his retirement from the Indianapolis Department of Parks and Recreation (Indy Parks)

PROPOSAL NO. 236, 2010 (Special Resolution)

INTRODUCED: 08/23/2010 BY: Councillors Nytes and Cain

REFERRED TO: Committee of the Whole

DIGEST: recognizes the 8th Quadrennial International Violin Competition of Indianapolis

VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 237, 2010 (Special Resolution)

INTRODUCED: 08/23/2010 BY: Councillors Evans and Malone

REFERRED TO: Committee of the Whole

DIGEST: commends the efforts of the IU School of Medicine's (IUSM) Division of Diversity Affairs on its Brain Link and MASH summer programs

PROPOSAL NO. 216, 2010 (Council Resolution)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Public Works Committee

DIGEST: reappoints Reginald Mallamo to the Air Pollution Control Board

COMMITTEE ACTION:

08/05/2010 Do Pass 7-0

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 225, 2010 (General Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor Brown

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code requiring the Purchasing Division to adopt rules to give a preference to Indiana businesses pursuant to IC 5-22-15-20 and to companies participating in the Indiana Business Plan

PROPOSAL NO. 226, 2010 (Council Resolution)

INTRODUCED: 08/23/2010 BY: Councillors Cardwell, Cain and Speedy

REFERRED TO: Metropolitan Development Committee

DIGEST: reappoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III

PROPOSAL NO. 227, 2010 (General Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor Hunter

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls at Beechwood Avenue and Good Avenue (District 21)

PROPOSAL NO. 228, 2010 (General Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor Vaughn

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Revised Code of the Consolidated City and County to correct certain obsolete references to the Indiana Code

PROPOSAL NO. 229, 2010 (Special Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor Malone

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves and authorizes the execution of a concession agreement to grant a concessionaire the right to operate, maintain and improve the metered parking system of the City of Indianapolis and amends the Code to provide for, among other things, new metered parking zones, hours of operation and rates for the metered parking system in accordance with the provisions set forth in such concession agreement

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 231, 2010 (P.S.S.D.F.O.)

INTRODUCED: 08/23/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the tax levies and rates for the Police Special Service District for 2011

PROPOSAL NO. 232, 2010 (F.S.S.D.F.O.)

INTRODUCED: 08/23/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves the tax levies and rates for the Fire Special Service District for 2011

PROPOSAL NO. 233, 2010 (S.W.C.S.S.D.F.O.)

INTRODUCED: 08/23/2010 BY: Councillor Speedy

REFERRED TO: Public Works Committee

DIGEST: adopts the tax levy and rate for the Solid Waste Collection Special Service District for 2011

PROPOSAL NO. 234, 2010 (Fiscal Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor Vaughn

REFERRED TO: Administration and Finance, Metropolitan Development, Parks and Recreation, Public Safety and Criminal Justice and Public Works Committees

DIGEST: adopts the annual budget for the City of Indianapolis and Marion County for 2011

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 238, 2010 (Rezoning Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor McHenry

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on August 10, 2010

PROPOSAL NO. 239, 2010 (Rezoning Ordinance)

INTRODUCED: 08/23/2010 BY: Councillor McHenry

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on August 10, 2010

PROPOSAL NOS. 240-243, 2010 (Rezoning Ordinances)

INTRODUCED: 08/23/2010 BY: Councillor McHenry

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on August 11, 2010

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 210, 2010 (Fiscal Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appropriates \$13,667,641 in the 2010 budgets of various city and county agencies, funded through transfers within characters, new revenues, and increases and reductions in certain fund balances

COMMITTEE ACTION:

07/27/2010 Do Pass As Amended 4-3

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 217, 2010 (Fiscal Ordinance)
INTRODUCED: 07/26/2010 BY: Councillor Pfisterer
REFERRED TO: Public Works Committee
DIGEST: appropriates \$9,822,167 in the 2010 Budget of the Department of Public Works (Federal Stimulus Grants Fund) for a new neighborhood-scale energy retrofit program for the City's Near Eastside Neighborhood, a residential loan program for energy improvement measures, and a subgrant to the City of Lafayette for residential energy retrofits, financed by an Energy Retrofit Ramp-up grant from the U.S. Department of Energy
COMMITTEE ACTION:
08/05/2010 Do Pass 7-0

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 154, 2010 (General Ordinance)
INTRODUCED: 05/17/2010 BY: Councillors McHenry and Cain
REFERRED TO: Parks and Recreation Committee
DIGEST: amends the Code to adopt a new Sec. 621-128 prohibiting parking in parks after closing and to amend Sec. 103-52 establishing penalties for violations
COMMITTEE ACTION:
05/20/2010 Do Pass As Amended 6-0
COUNCIL ACTION:
06/07/2010 Returned to Committee
COMMITTEE ACTION:
07/29/2010 Do Pass 5-0

PROPOSAL NO. 212, 2010 (Special Resolution)
INTRODUCED: 07/26/2010 BY: Councillor Pfisterer
REFERRED TO: Administration and Finance Committee
DIGEST: determines the need to lease approximately 4,300 square feet at 3125 Concord Court for use by the Warrant Section of the Law Enforcement Division
COMMITTEE ACTION:
07/27/2010 Do Pass 5-1

PROPOSAL NO. 214, 2010 (General Resolution)
INTRODUCED: 07/26/2010 BY: Councillor Vaughn
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: approves a crime prevention initiative grant award in the amount of \$39,000 to IMAC-Hightower Development and Training Center as recommended by the Crime Prevention Advisory Board and as approved by the Mayor
COMMITTEE ACTION:
07/28/2010 Do Pass 7-0

PROPOSAL NO. 215, 2010 (Special Ordinance)
INTRODUCED: 07/26/2010 BY: Councillor Hunter
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: elects to fund the operations of the public communications system and computer facilities district in 2011 with County Option Income Tax (COIT) revenues
COMMITTEE ACTION:
07/28/2010 Do Pass 6-1

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 218, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions for Eagle Creek Parkway north of 46th Street and Falcon Talon Lane east of Eagle Creek Parkway (District 6)

COMMITTEE ACTION:

08/05/2010 Do Pass 7-0

PROPOSAL NO. 219, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Nytes

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on the south side of 46th Street from College to Keystone Avenue (District 9)

COMMITTEE ACTION:

08/05/2010 Do Pass 7-0

PROPOSAL NO. 220, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Gray

REFERRED TO: Public Works Committee

DIGEST: authorizes the removal of parking restrictions on the west side of Sunset Avenue from Blue Ridge Road to Lake Road (District 8)

COMMITTEE ACTION:

08/05/2010 Do Pass 7-0

XIII. SPECIAL SERVICE DISTRICT COUNCILS

XIV. NEW BUSINESS

XV. ANNOUNCEMENTS AND ADJOURNMENT

The President The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

President's Designee Mr. President.

The President The Chair recognizes Councillor Sanders.

The Councillor Mr. President, I have been asked to offer the following motion for adjournment:

by Councillor McQuillen in memory of Sgt. Christopher Karch.

by Councillors Brown and Gray in memory of Helen Bessie Robbins Clay.

by Councillor Pfisterer in memory of Frank Teeter.

by Councillor Cain in memory of Barbara Wilde Dean.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

The President

Thank you, Councillor Sanders. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

XVI. PENDING PROPOSALS

PROPOSAL NO. 371, 2009 (General Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Hunter and Mansfield

REFERRED TO: Community Affairs Committee

DIGEST: amends the Code with respect to nonsmoking areas

COMMITTEE ACTION:

10/14/2009 Do Pass As Amended 4-2

COUNCIL ACTION:

10/26/2009 Indecisive Vote 12-13

10/26/2009 Tabled 14-13

11/09/2009 Overruled Chair's Decision on Tabling 12-16

11/09/2009 Postpone until 11/30/2009 28-0

11/30/2009 Returned to Committee 20-7

COMMITTEE ACTION:

12/30/2009 Postpone until 4/14/2010 4-0

04/14/2010 Tabled 6-0

PROPOSAL NO. 39, 2010 (General Ordinance)

INTRODUCED: 02/01/2010 BY: Councillor Coleman

REFERRED TO: Parks and Recreation Committee

DIGEST: amends the Code to clarify provisions with respect to possession of firearms on park property

COMMITTEE ACTION:

02/25/2010 Tabled 4-3

PROPOSAL NO. 79, 2010 (Council Resolution)

INTRODUCED: 02/22/2010 BY: Councillors Sanders, Mansfield, Minton-McNeill, Lewis,

Moriarty Adams, MahernB, Bateman, Nytes, Oliver and Evans

REFERRED TO: Rules and Public Policy Committee

DIGEST: supports an open and transparent discussion concerning the proposal to sell or to otherwise dispose of water-related resources, water facilities, assets and properties of Indianapolis Water, and that any such disposition or decision to retain such assets be a matter reserved to the City-County Council

COUNCIL ACTION:

02/22/2010 Referred to Committee

COMMITTEE ACTION:

03/31/2010 Postpone until 04/13/2010

04/13/2010 Tabled 4-3

XVI. PENDING PROPOSALS

PROPOSAL NO. 145, 2010 (Fiscal Ordinance)

INTRODUCED: 04/26/2010 BY: Councillor Sanders

REFERRED TO: Parks and Recreation Committee

DIGEST: reduces the \$27,562,000 appropriation to the Capital Asset Development Capital Project Fund by \$3,500,000 and approves an additional appropriation of \$3,500,000 in the 2010 Budget of the Department of Parks and Recreation (Parks General Fund) to fund pool improvements and pool related operating costs at Wes Montgomery Park

PROPOSAL NO. 183, 2010 (General Ordinance)

INTRODUCED: 06/07/2010 BY: Councillors Lutz, Speedy, Hunter, Scales, Freeman, Rivera, McQuillen, Cardwell, Day and McHenry

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to consolidate the department of waterworks board of directors into the board of public works

COMMITTEE ACTION:

07/06/2010 Tabled 7-0

PROPOSAL NO. 196, 2010 (General Resolution)

INTRODUCED: 06/28/2010 BY: Councillor Evans

REFERRED TO: Rules and Public Policy Committee

DIGEST: urges the State of Arizona to repeal SB 1070, that no other state enact similar law, that the U.S. Congress consider and act expeditiously to enact comprehensive immigration reform, and that the City and County neither hold nor attend official meetings in the State of Arizona, nor enter into any new contract for goods or services with vendors situated in Arizona until the new Arizona immigration law is repealed

COMMITTEE ACTION:

07/06/2010 Tabled 7-0

PROPOSAL NO. 211, 2010 (Special Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: determines the need to lease approximately 40,750 square feet of commercial office space at 3737 East Washington Street for use by the Marion County Election Board

COMMITTEE ACTION:

07/27/2010 Postpone until 8/31/2010 6-0

PROPOSAL NO. 213, 2010 (Council Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Clark G. Rehme to the Animal Care and Control Board

COMMITTEE ACTION:

07/28/2010 Postpone until 9/1/2010 7-0

PROPOSAL NO. 224, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to revise procedures for approval of drug free community fund expenditures

COMMITTEE ACTION:

07/28/2010 Postpone until 9/1/2010 7-0